

Practitioner's Docket No. 003252-052911



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Ulrich Noth et al.  
Application No.: 10/082,705      Group No.: 1636  
Filed: February 25, 2002      Examiner: Maria Marvich  
For: **TRABECULAR BONE-DERIVED HUMAN MESENCHYMAL STEM CELLS**

**CERTIFICATE OF MAILING (37 C.F.R. SECTION 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date

2/28/05

Nicole M. Aguirre

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(signature of person mailing paper)

**MAIL STOP AMENDMENT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450**

**REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)**

In reply to the Notice of Non-Compliant Amendment mailed on January 28, 2005, Applicants respectfully submit the following.

The Notice of Non-Compliant Amendment (Attachment 1) indicates that the status identifier for claim 5 is incorrect. Additionally, Applicants note that the status identifiers for claims 13 and 14 were also incorrect. Accordingly, Applicants have corrected the status identifiers for claims 5, 13 and 14 and enclose a corrected replacement copy of the entire claim set in proper format (Attachment 2).

The Notice of Non-Compliant Amendment further states that claims 2 – 10, 12 – 14, and 21 – 22 have been amended without changes indicated. Applicants have corrected these errors, (see, for example, claim 1 vs. **Claim 1**, etc.).

With the submission of this reply, and in view of the foregoing amendment, it is respectfully submitted that all claims are in condition for allowance. Early and favorable action is respectfully requested.

The Commissioner is authorized to charge fee deficiencies or credit overpayments associated with this submission to the NIXON PEABODY LLP Deposit Account No. 50-0850.

Date: 2/28/05

Customer No. 000050828

Respectfully submitted,



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